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Attorneys for Plaintiff and Counter Defendant
Baydelta Maritime Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

12 BAYDELTA MARITIME INC.,
13 Plaintiff,
14 v.
15 HAL ELTZROTH,
16 Defendant

Case No. C-06-1114 MMC

STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE

15 HAL ELTZROTH,
16 Defendant.
17
...and RELATED COUNTERCLAIM.

22 The parties have entered into a settlement agreement and release and, therefore,
23 stipulate as follows:

24 1. The entire action, including the counterclaim against Baydelta
25 Maritime, Inc. and the International Organization of Masters, Mates & Pilots, may be
26 dismissed with prejudice in accordance with Fed. R. Civ. P. 41(a)(1)(ii).

27 2. Notwithstanding this stipulation, any party may move to enforce the
28 terms of the settlement agreement and release.

3. A dismissal entered pursuant to this stipulation and order shall be without an award of costs or attorneys' fees to any party.

3 | Dated: March 30, 2007

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By _____ /s/ Amy B. Norris
AMY B. NORRIS
Attorneys for
Plaintiff and Counter Defendant Ba
Inc.

Dated: March 30, 2007

VENARDI ELAM LLP

By _____ /s/ Mark Vendari
MARK VENARDI
Attorneys for Defendant and Counter Claimant Hal
Eltzroth

5 | Dated: March 30, 2007

LEONARD CARDER LLP

By _____ /s/ Eleanor Morton
ELEANOR MORTON
Attorneys for
Counter Defendant International Organization of
Masters Mates & Pilots

ORDER

IT IS SO ORDERED.

Dated: April 2, 2007

Mafine M. Cheaney
UNITED STATES DISTRICT JUDGE